

REMARKS/ARGUMENTS

In light of the above amendments and remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 1-7 are pending in this application.

Claims 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Roth et al. (U.S. Patent 6,285,987) in view of Giacalone (Published U.S. Application 2001/0052000).

The present claims have been clarified to recite "wherein an advertisement object designated by the winning bidder is superimposed into the advertisement space of the content data streamed to the recipient, said content data being a movie." (Claims 1 and 7) This feature of the present invention is shown in Figure 7 and supported on page 19, lines 10-26 of the specification. For example, the present invention may be applicable to auctioning product placements in on-demand movies streamed to a customer.

As noted by the Examiner, Roth does not disclose inserting an advertisement object into streamed content data. (Office Action page 6) Rather, the Examiner relies upon Giacalone's paragraph [0019] to meet this limitation. However, at the cited location, Giacalone simply discloses streaming an advertisement to the user; rather than superimposing an advertisement object into content data (i.e. a movie) being streamed to the user as in the present invention. Although Giacalone does disclose superimposing pictures into an advertisement in paragraph [0020], Giacalone does not discuss superimposing those pictures into a movie as required in the present claims.

Accordingly, for at least this reason, Roth and Giacalone fail to obviate the present invention and the rejected claims should now be allowed.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095.

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Respectfully submitted,

By 
Darren M. Simon

Registration No.: 47,946
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

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